REMARKS

I.   Status Of Claims

Claims 1-12 are pending.

Claims 1-12 are rejected.

Claims 1-12 have been amended.

II.   Objection to the Specification

The Examiner objects to the title of the invention and the abstract.

In response, a new title and a new abstract is submitted herewith.

The Examiner objects to the use of the language "very schematically" appearing in the brief description of the drawings for Figure 1 and again on page 5, line 14 of the specification.

In response, the word "very" has been deleted from both occurrences of "very schematically" cited by the Examiner.

The Examiner further objects to the specification because the summary of the invention contains copies of the claims and the detailed description of the disclosure uses claim style language. The Examiner cites the MPEP §§ 608.01(d) and (g) and contends that correction of the specification is <u>required</u>. The applicant disagrees with the Examiner to the extent that the guidelines provided in the cited MPEP sections are just guidelines that may be followed by an applicant. These guidelines are <u>not</u>, however, requirements that must be followed and to be imposed on an applicant as a requirement for patentability. If this interpretation of the MPEP

sections are legally incorrect, the applicant respectfully invites the Examiner to cite the relevant

statutory or common law bases for such a position.

The text on page 2, line 33 of the Summary of the Invention section of the specification

has been amended to now recite "~~consisting of~~ the method comprising:" to correspond to the

amendment to the preamble of claim 1 that is submitted herewith. The use of the open-ended

term "comprising" is fully supported based on the disclosure in the Detailed Description of the

Invention section. According to the detailed description, the method of the present invention is

not to be limited to those steps recited in claim 1 only.

III.   Rejection Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by

United States Patent No. 5,867,655 to DeRoo *et al.* ("DeRoo").

In response, independent claims 1 and 8 have been amended. Claims 1 and 8 are

independent claims the rest of the claims depend therefrom. Amended claim 1 recites, in part:

"applying at least one access control algorithm contained in a second auxiliary memory distinct

from the first memory . . . " (emphasis added). Also, amended claim 8 recites: "A circuit

integrating a microprocessor and at least one first memory, which includes a second auxiliary

memory adapted to containing at least one sub-program enabling authorizing the execution of a

function of access to said first memory, said auxiliary memory distinct from the first memory

and being programmable only once" (emphasis added). In the present invention, the auxiliary

memory containing the access control algorithm is distinct form the first memory (the program

memory) the access of which is to be controlled. The amended claims 1 and 8 now recites this

feature of the present invention. The support for this amendment can be found, for example, on page 15, lines 6-19, of the originally filed specification.

In contrast, in the system and method for protecting a memory disclosed in DeRoo, the access control algorithm is contained in the program memory, rather than the auxiliary memory. The WORM registers of DeRoo only contain data equivalent to keys (column 85, lines 2-7) and can not constitute the auxiliary memory of the present invention. According to DeRoo, the firmware stored in the EEPROM controls the system after a reset and can write to the WORM registers (column 84, lines 43-45). Hence, in DeRoo, the auxiliary memory is the program memory, unlike in the present invention, in which the auxiliary memory is distinct from the memory to which the access is controlled.

Furthermore, even if the WORM registers of DeRoo were considered to correspond to the auxiliary memory of the present invention and the EEPROM from DeRoo is the first memory the access of which is to be controlled, according to DeRoo, the EEPROM (the first memory) writes in the WORM registers (the auxiliary memory). This is in contrast to the present invention which protects the program contained in the first memory.

Accordingly, DeRoo does not teach or suggest the present invention claimed in the amended independent claims 1 and 8. Withdrawal of the rejection and allowance of claims 1 and 8 are respectfully requested.

Claims 2-7 and 9-12 depend from claims 1 and 8, respectively. Thus, because the amended independent claims 1 and 8 are allowable, as discussed above, claims 2-7 and 9-12 depending therefrom are also allowable. Withdrawal of rejections and allowance of the claims 2-7 and 9-12 are respectfully requested.

IV.   Other Claim Amendments

Claims 1, 2, and 6-11 have been amended to remove all recitations of reference numbers. Additionally, the preamble of claim 1 has been amended to end with the open ended language of "the method comprising" rather than the closed-end language "consisting of" that was originally filed in error. The use of the open-ended "comprising" is fully supported based on the disclosure in the Detailed Description of the Invention section. According to the detailed description, the method of the present invention is not to be limited to those steps recited in claim 1 only.

V.   Summary

The Applicant believes that all outstanding issued have been addressed and that the pending claims 1-12 are now in allowable form. No new matter has been added by the amendments presented herein. Entry of the amendments presented herein and a favorable reconsideration of this application are respectfully requested.

A fee in the amount of $210.00 for two (2) months extension of time for filing this paper is believed due. Please charge the fee and any additional fee that may be due to Duane Morris **Deposit Account No. 50-2061**.

Respectfully submitted,

Date: _____

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Enclosure

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